

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

JOE LOONEY,

Petitioner,

vs.

WARDEN JERRY FERRELL, *et al.*,

Respondents.

)
)
)
)
)
)
)
)
)
)
)

Civil Action Number
02-C-2023-M

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on November 9, 2004, recommending that Respondents' Motion for Summary Judgment be granted, and this action be dismissed as barred by the one-year statute of limitations under 28 U.S.C. § 2244(d)(1).

Petitioner did not file objections to the magistrate's report and recommendation.

Having carefully reviewed the magistrate's report and recommendation, the Court is of the opinion that the magistrate judge's report is to be and is hereby ADOPTED, and the recommendation is ACCEPTED. Accordingly, Respondents' Motion for Summary Judgment is hereby GRANTED, and this action is DISMISSED as untimely.

A Final Judgment Granting Respondents Summary Judgment will be entered.

Done this 29th day of November, 2004.



U.W. Clemon
Chief United States District Judge